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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 ORLIN A. CAMPOS-CERNA,

9 Petitioner,

10 v.

11 STEPHEN D. SINCLAIR,

12 Respondent.

CASE NO. C11-6024BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”)
14 of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 11) and
15 Petitioner’s objection to the R&R (Dkt. 13). The Court has considered the R&R,
16 Petitioner’s objections and the remaining record, and hereby adopts the R&R for the
17 reasons stated herein.

18 **I. PROCEDURAL AND FACTUAL HISTORY**

19 This matter arises out of a challenge by Petitioner to the effective assistance of his
20 trial and appellate counsel. He brings this action pursuant to 28 U.S.C. § 2254. *See* Dkt.
21 11 at 1.
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1 On December 16, 2011, Petitioner filed his petition for writ of habeas corpus
2 against Respondent Stephen D. Sinclair. Dkt. 3. Respondent filed a response to the
3 petition on April 4, 2012. Dkt. 9. On May 7, 2012, Petitioner filed a reply. Dkt. 12.

4 On May 8, 2012, the magistrate judge issued an R&R (Dkt. 11) wherein it was
5 recommended that the petition be denied. On May 29, 2012, Petitioner filed his
6 objections to the R&R. Dkt. 13.

7 II. DISCUSSION

8 Petitioner's objections to the R&R are essentially rearguments of the issues raised
9 in his petition (Dkt. 3) and in his reply (Dkt. 12) presented to the magistrate judge. The
10 Court finds no error in the R&R.

11 III. CONCLUSION

12 The Court having considered the R&R, Petitioner's objections, and the remaining
13 record, does hereby find and order as follows:

- 14 (1) The R&R is **ADOPTED**;
- 15 (2) This action is **DISMISSED**; and
- 16 (3) The Petitioner is **DENIED** a certificate of appealability.

17 Dated this 19th day of July, 2012.

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20 BENJAMIN H. SETTLE
21 United States District Judge
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